

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK**

LEO MAY,)	
)	
Plaintiff)	Case No.: 1:14-cv-00226
)	
v.)	DECLARATION OF
)	AMY L. BENNECOFF
VIRTUOSO SOURCING GROUP, INC.,)	
)	
Defendant)	
_____)	

AMY L. BENNECOFF declares as follows:

1. I am the attorney for the Plaintiff. As such, I have personal knowledge of the facts contained in this declaration and if called to testify I could and would competently testify thereto.

A. QUALIFICATIONS OF COUNSEL

2. I am a senior attorney at Kimmel & Silverman, P.C. in Ambler, Pennsylvania. In this position I manage a case load consisting of cases brought in the United States District Courts located in the states of New Jersey, Tennessee, California, Texas, Colorado, Illinois, Maryland, Michigan, Ohio, among other state and federal courts. I am also responsible for the supervision of an associate, law clerk and paralegal.

3. My practice entails a variety of consumer credit and breach of warranty matters.

BAR ADMISSIONS

4. I have been admitted to practice law since 2005.

5. I am admitted to practice before the following State Courts: New Jersey Supreme Court since December 19, 2005; the Supreme Court of Pennsylvania since November 8, 2006; the Supreme Court of Tennessee since March 10, 2010; the Supreme Court of Wyoming since

June 14, 2010; the Court of Appeals of Maryland since June 17, 2010; the Supreme Court of California since April 26, 2011.

6. I am admitted in the following Federal Courts: the United States Supreme Court since November 15, 2010; the United States Court of Appeals for the Third Circuit on May 24, 2011; United States District Court for the Eastern District of Pennsylvania since January 4, 2009; the United States District Court for the District of New Jersey since May 1, 2006; the United States District Court for the Western District of Pennsylvania since July 23, 2010; the United States District Court for the Eastern District of Tennessee since April 16, 2010; the United States District Court for the Middle District of Tennessee since June 15, 2010; the United States District Court for the Eastern District of Texas since May 18, 2010; the United States District Court for the Eastern District of Arkansas since May 28, 2010; the United States District Court for the Western District of Arkansas since May 28, 2010; the United States District Court for the Western District of Texas since June 21, 2010; the United States District Court for the District of Colorado since May 17, 2010; the United States District Court for the Western District of Tennessee since March 11, 2011; the United States District Court for the Southern District of California on May 10, 2011; the United States District Court for the Central District of California on May 10, 2011; the United States District Court for the Eastern District of California on May 23, 2011; the United States District Court for the Northern District of Ohio on January 27, 2012; the United States District Court for the Northern District of Illinois on February 3, 2012 (General and Trial Bars); the United States District Court for the Eastern District of Michigan (pending status as of January 30, 2012); the United States District Court for the Southern District of Texas on May 18, 2012; the United States District Court for the District of Maryland on July 20, 2012; the United States District Court for the Northern District of Texas on November 14, 2012; the

Northern District of California on March 27, 2013; the Northern District of Florida on April 9, 2013; and the Central District of Illinois.

7. I have been admitted Pro Hac Vice by the following Federal Courts: the United States District Court for the Middle District of Pennsylvania (Pro Hac Vice admission in the matter of *Jones v. Investment Retrievers, LLC et al.*, August 22, 2011); United States District Court for the District of Massachusetts (Pro Hac Vice admission in the matter of *Schaefer v. Arm Receiveable Management, Inc.*, June 14, 2011; Pro Hac Vice admission in the matter of *Dalhaus v. Arrow Financial, et. al.*, January 17, 2012); the United States District Court for the District of Delaware (Pro Hac Vice admission in the matter of *Davis v. Midland Funding LLC et al*, August 30, 2011; Pro Hac Vice admission in the matter of *Bramble v. Lyons Doughty Veldhius, PA*, February 7, 2012); the United States Bankruptcy Court for the Southern District of New York (Pro Hac Vice admission in the matter of *In re Old Carco LLC* and *Clark v. Chrysler Group, LLC*, May 13, 2009); the United States District Court for the Middle District of Alabama (Pro Hac Vice admission in the matter of *Lasseter v. P. Scott Lowery P.C.*, January 17, 2012); the United States District Court for the Eastern District of Kentucky (Pro Hac Vice admission in the matter of *Piatt v. Portfolio Recovery*, January 17, 2012); the United States District Court for the District of New Hampshire (Pro Hac Vice admission in the matter of *Fanjoy v. Howard Lee Schiff, PC*); and the United States District Court for the Western District of New York (Pro Hac Vice admission in the matter of *May v. Asset Acceptance*, January 30, 2012 and *Thruston v. Zenith Acquisition Corporation*, February 29, 2012); the United States District Court for the Western District of Virginia (Pro Hac Vice admission in the matter of *Murphy v. Portfolio Recovery Associates, LLC*, June 19, 2012 and *Murphy, et. al. v. Portfolio Recovery Associates*,

LLC, June 19, 2012); and the United States District Court for the Northern District of New York (Pro Hac admission in the matter of *Fisk v. ARS National Services, Inc.*, July 30, 2012).

EDUCATION

8. I received a Bachelor of Science in both International Area Studies and Political Science in 2002 from Drexel University. I minored in European Studies.

9. While at Drexel, I was part of the Honors Program and the recipient of the 2002 Raymond M. Lorantus History Award, an award given to an outstanding undergraduate student with an interest in world history. The award is based on academic performance.

10. While at Drexel, I was the President of the Undergraduate Class Council from 2001-2002; Vice President of the Senior Class from 2001-2002; the Senior Vice President of the Undergraduate Student Government Association from 2000-2002; the College of Arts and Science Representative to the Undergraduate Student Government Association from 1998-2000; the Chair of the Academic Affairs Committee for the Student Government Association from 2000-2002 (member of the Committee from 1998-2002); the Treasurer of the Society for Success and Leadership from 2001-2002; and a member of Phi Mu from 1997-2002. As a result of my contributions to the Drexel community, I was awarded the Senior Vice President's Leadership Award in 2002.

11. While at Drexel, I was also the host of a political talk show on DUTV (Drexel University Television) and BCTV (Berks County Television) called *Poli Spot*, which featured guests discussing local, national, and international political and legal issues.

12. In 2002, I was one of two students chosen from the United States to participate in the Atlantic Council conference in the Netherlands.

13. In 2005, I received a Juris Doctor from Widener University School of Law.

EXPERIENCE

14. Prior to joining Kimmel & Silverman, P.C. in 2005, I was employed by the Law Offices of Samuel Z. Brown, P.C. in Lakewood, New Jersey.

15. While with the Law Offices of Samuel Z. Brown, P.C. I handled a variety of plaintiff's litigation matters, including personal injury and medical malpractice.

16. Prior to joining the Law Offices of Samuel Z. Brown, P.C., I was an associate at the Law Offices of Michael P. Morton, P.A. in Wilmington, Delaware from 2005 to 2006, as well as having worked there as a legal intern from 2003. While at the Law Offices of Michael P. Morton, P.A. I handled primarily landlord-tenant and bankruptcy matters.

17. In 2007, I joined Kimmel & Silverman, P.C., where I focus my practice on consumer litigation, handling primarily matters brought under the Fair Debt Collection Practices Act, Pennsylvania Fair Credit Extension Uniformity Act, Truth in Lending Act, Magnuson Moss Warranty Improvement Act, state Lemon Laws, among other consumer statutes.

18. Since joining Kimmel & Silverman, P.C., I have successfully tried numerous jury trials in New Jersey in consumer litigation matters, as well as, successfully handling appeals before the New Jersey Appellate Division.

19. In 2009, I represented a group of consumers in the Chrysler Bankruptcy proceedings, successfully negotiating significant changes to the Sale Order, ensuring that breach of warranty and lemon law claims for thousands of consumers nationwide would be assumed by Chrysler Group, LLC.

20. I also perform pro bono work through Volunteer Lawyers for Justice in Newark, New Jersey, where I assess potential consumer claims.

21. I regularly attend seminars and continuing legal education courses offered on consumer topics to keep abreast of the latest developments in the area of consumer litigation. Each year I also attend a conference held by the National Consumer Law Center, which focuses on various consumer issues, including developments in the area of consumer credit. Mr. Ginsburg and Mr. Kimmel also attend such seminars and conferences.

22. I also hold a Real Estate sales license in the Commonwealth of Pennsylvania since 2007, working for Homestarr Realty.

LECTURES/PRESENTATIONS

23. In 2006, while with the Law Offices of Samuel Z. Brown, P.C., I co-founded the Community Legal Coalition, a group aimed at educating the Lakewood and surrounding communities. We held regular seminars on various legal topics. I was a regular contributor at these seminars. On July 19, 2006, I spoke at our seminar entitled *Real Estate Basics* held in Lakewood, New Jersey. On August 30, 2006, I spoke at a seminar entitled *Landlord-Tenant Law* in Lakewood, New Jersey. On September 27, 2006, I spoke at a forum organized by the Coalition entitled *The Muster Zone: Employment, Crime and Personal Injury Issues* in Lakewood, New Jersey. On October 25, 2006, I spoke at a seminar entitled *Family Law and Elder Law Matters*. On November 29, 2006, I spoke at another seminar addressing issues surrounding local landlord-tenant and Muster Zone issues.

AWARDS

24. In 2010, 2011, 2012, 2013 and 2014 I was named a Rising Star in Pennsylvania by Super Lawyers. In 2013 and 2014 I was also named a Rising Star in New Jersey by Super Lawyers.

QUOTED/FEATURED/CONTRIBUTED

25. I have been a contributor on WOBN 1160's Public Forum, located in Toms River, New Jersey. On September 6, 2006, I spoke on WOBN 1160's Public Forum addressing questions on landlord tenant law. On October 4, 2006, I spoke on WOBN 1160's Public Forum addressing questions on the new Muster Zone in Lakewood, New Jersey.

26. I have been a regular guest on Eye on Ocean County addressing Lemon Law, Consumer Fraud, and FDCPA issues, including in April 2008, July 2009, July 2011, and April 2012.

27. I have been interviewed for Kane in Your Corner on News 12 New Jersey regarding various consumer issues. In July 2011, I was interviewed about the FDCPA. In May 2011, I was interviewed about motor vehicle complaints and car purchasing tips. In January 2012, I was interviewed about common motor vehicle complaints.

28. I have also appeared on NBC 10 Philadelphia and the Philadelphia's The CW, addressing various motor vehicle issues.

29. In June 2009, various news publications featured articles on revisions I negotiated to the Master Sales Agreement between Chrysler and Fiat, specifically to include a provision for the new entity to assume certain lemon law and breach of warranty liabilities.

B. MARKET RATE

30. \$300.00 represents my billing rate for consumer credit litigation matters for 2013 and 2014. However, for this matter I voluntarily reduced my rate to \$200.00 per hour, which I believe to be a fair and reasonable rate in this District.

C. HOURS SPENT

31. The total time that I spent is 1 hour. My time was primarily spent conferring with the Plaintiff and preparing pleadings in this matter.

32. Our firm requires that attorneys keep contemporaneous records of the time spent on each matter, which is then entered into our firm's billing system, Amicus.

I declare under penalty of perjury under the laws of the United States and the State of New York that the foregoing is true and correct.

Executed on October 17, 2014 in Ambler, Pennsylvania.

/s/ Amy L. Bennecoff
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